

Remarks/Arguments:

This is a reply to the office action of October 27.

The rejection of claim 37 over Houle is respectfully traversed.

The printing inks disclosed in Houle are substantially different from the printing inks of the present invention. Significantly, the printing inks of Houle do not contain any binder component. The word "binder" does not even appear once in the entire specification of Houle. The ink compositions claimed comprise, *inter alia*, a binder component selected from a specific group.

Moreover, Houle's printing ink compositions are water-based, as can be seen for example from the compositions used in the examples of Houle, e.g. at column 7, lines 35 *et seq.*, whereas the claimed the ink compositions comprise an organic solvent (see claim 37, "a fast-drying solvent"). Thus the printing inks of the present invention are solvent-based, not water-based.

The present inventors surprisingly found that certain substances (referred to in the specification as matting agents) provide a match to the gloss of a substrate if the printing is done with a specific ink composition comprising as a binder component one of the free binders mentioned in claim 37. This improvement can be gleaned neither from Houle, nor from Siddiqui.

The ink compositions described by Houle are materially different from the ink compositions of the present invention in that Houle completely lacks any binder component and, furthermore, is related to water-based ink compositions instead of solvent-based compositions.

The substances described in the present invention as matting agents provide their unexpected and beneficial effect only in certain ink compositions which are of a completely different type than the ink compositions of Houle, which do not show the desired matting effect. This is why Houle does not even suggest or point to such a beneficial property. Applicant respectfully submits that Houle is not relevant to the subject matter of the amended claims.

Nor does Siddiqui render obvious the subject matter of claim 37. Like Houle, Siddiqui addresses a completely different problem. As can be seen from column 3, lines 16 to 19 of Siddiqui, the problem faced was to provide an ink jet composition suitable for printing on containers marks that do not blush when exposed to warm and humid conditions. Like Houle, Siddiqui did not address the problem of lack of match of gloss of the imprint to the gloss of the substrate. It is therefore not surprising that Siddiqui does not provide any teaching that would have led the skilled person toward the solution of the present invention.

We submit that neither Houle nor Siddiqui nor a combination thereof would have motivated a skilled person to use the matting agents of the present invention in specific ink jet compositions to obtain the desired match of gloss of the imprint to the gloss of the substrate.

Nor would the skilled person have had any motivation to combine Houle and Siddiqui. It is well known that the characteristics of a printing ink composition are based on a thorough selection of the components making up said inks. A skilled person would not have deduced the ink composition of claim 37 from another ink composition having a completely different nature. It is well known to the skilled person that water-based ink compositions are substantially different from solvent-based ink compositions. More significantly, ink compositions comprising binder components are completely different in their behavior from to ink compositions lacking a binder component.

In order to arrive at the present invention, the skilled person would have had to modify the teaching of the references in a substantial manner. Even according to the *KSR/Teleflex* decision, a motivation to modify a reference's teachings must be derivable from a reference by a skilled person. We respectfully submit that no such motivation is from any of the references of record.

Moreover, it is not apparent why the skilled person would have had any reasonable expectation of success for solving the problem underlying the present invention (obtaining a match of gloss between the imprint and the underlying substrate) when trying to modify the teaching of Siddiqui in light of Houle or Subbaraman. None of the references makes the slightest reference to gloss matching between an imprint and an underlying substrate, let alone how that this could be obtained in an ink composition of the type now claimed.

Also, neither Houle nor Siddiqui discloses two other essential features of amended claim 37, i.e., that the matting compound has a higher boiling point than the fast drying solvent, and that the binder is insoluble in the matting compound.

We respectfully submit that claim 37 and the other claims now presented define an invention which is novel and non-obvious from the prior art of record, and that this application is now in proper form for allowance.

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